

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LARRY E. DUNBAR Sr.,

Plaintiff,

V<sub>a</sub>

## STATE OF WASHINGTON *et al.*,

### Defendants.

Case No. C05-5491RBL

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**

The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED WITHOUT PREJUDICE** prior to service. Plaintiff may not challenge his current conviction or sentence in a civil rights action.
- (3) Clerk is directed to send copies of this Order to plaintiff, counsel for any defendants who have appeared, and to the Hon. J. Kelley Arnold.

DATED this 6<sup>th</sup> day of October, 2005.

Ronald B. Leighton  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE